

## REMARKS

With this amendment, claims 1 and 4-18 remain pending in the present application. Claim 1 has been amended to recite a functional feature relating to the second detector, that would naturally flow from the structure recited in claim 1 prior to the amendment. The amendment to claim 1 is thus for the purpose of clarification. That is, because the recited second detector taps off light “partway along the channel,” the light detected by the second detector necessarily travels a shorter distance than light detected by the first detector which is located at the second end of the channel. This functional relationship is now expressly stated in claim 1 for clarity. It is therefore submitted that this amendment to claim 1 does not raise any new issues or require further search. As a result, it is respectfully requested that this amendment be entered and considered at this stage of the proceeding, without the necessity of filing and RCE. For the reasons given below, it is submitted that this application is in condition for allowance.

### *Rejections under 35 USC § 103*

On pages 2-4, the Office Action rejects claims 1 and 4-18 under 35 U.S.C. § 103(a) as being unpatentable over Wong (US 5,060,508) in view of Karlsson et al. (Karlsson, U.S. 6,046,814). Applicants respectfully disagree.

As per claim 1, it is respectfully submitted that claim 1 is patentable over Wong in view of Karlsson for at least the following reasons.

First, Wong does not disclose “a second detector” as recited in claim 1. Instead, as pointed out in the Office Action, Wong discloses the use of a single detector. Wong, col. 3, l. 27-24.

Second, Karlsson fails to overcome the deficiencies of Wong. Karlsson does not disclose “a second detector located to detect light from the source that has been tapped off partway along the channel so that light detected by the second detector travels a shorter optical path than has light detected by the first detector,” as recited in claim 1. Instead, Karlsson teaches a light guide

4e having a housing. Karlsson, col. 10, l. 30-45 and FIGS. 4 and 5. The housing has a length which constitutes a wave tube length  $L_4$ . *Id.* The light guide further comprises two branches 36a, 36b of length  $L_4$ . *Id.* Two filter-detector assemblies 8a, 9a, 8b, 9b are positioned at a uniform distance  $L_4$  within each branch 36a, 36b opposite the radiation source 1. *Id.* Thus Karlsson discloses a light guide wherein light traveling to a second detector 9b travels **that same distance** as light traveling to a first detector 9a. In contrast, claim 1 recites “a second detector located to detect light from the source that has been tapped off partway along the channel **so that light detected by the second detector travels a shorter optical path than has light detected by the first detector.**” Therefore Karlsson fails to disclose “a second detector to detect light that has been tapped off partway along the channel and has travelled a shorter optical path than has radiation reaching the first detector located at the second end of the channel,” as recited in claim 1.

In view of the above, it is respectfully submitted that claim 1 is patentable over any reasonable combination of Wong and Karlsson as neither reference, alone or in combination, teaches “a second detector to detect light that has been tapped off partway along the channel and has travelled a shorter optical path than has radiation reaching the first detector located at the second end of the channel,” as recited in claim 1.

Claims 4-18 are dependent from claim 1 and are submitted to be patentable for at least the same reasons as claim 1.

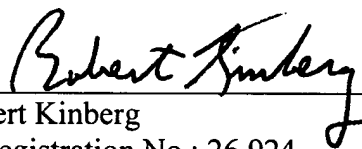
***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

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Respectfully submitted,

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